

## ENROLLED ORDINANCE 158-1

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE OF THE TOWN OF OCONOMOWOC, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 36, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE R-3 RESIDENTIAL AND P-1 PUBLIC AND INSTITUTIONAL DISTRICTS TO THE B-2 LOCAL BUSINESS DISTRICT (SZ-1474)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of requisite notice of said hearing, and a recommendation for approval thereon reported to the Land Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map for the Town of Oconomowoc, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors on June 23, 1970, is hereby amended to conditionally rezone from the R-3 Residential and P-1 Public and Institutional Districts to the B-2 Local Business District, certain lands located in part of the SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc, and more specifically described in the "Staff Report and Recommendation" and map on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference (SZ-1474), subject to the following conditions:

1. Waukesha County Board of Supervisors must approve the 2003 request to amend the Town of Oconomowoc Land Use Amendment to the County Development Plan.
2. A Certified Survey Map must be prepared by a registered surveyor to determine the exact boundaries and acreage of the property and the location of the Ordinary High Water Mark of Florence Lake. A Certified Survey must be submitted to the Waukesha County Department of Parks and Land Use and the Town of Oconomowoc for review and approval.
3. Subject to the development being limited to a maximum of 15 units per acre, served by municipal sewers and a municipal size/capacity water supply.
4. Subject to the Waukesha County Department of Parks and Land Use, Land Resources Division, approving an Erosion Control and Storm Water Management Plan for the proposed use.
5. Subject to a minimum of 30 % of the site being retained in green space, which is defined as a natural or man-made open space area, not occupied by any structure or impervious surface, except trails.
6. Subject to the future ownership and construction status of the road on the west side of the property being resolved with the Town of Oconomowoc.
7. The rezoning shall not be effective until the additional lands proposed for purchase

from the Okauchee Fire Department is completed and a Deed Restriction showing that transfer.

8. The status (public or private) of Florence Lake shall be resolved so that it can be determined what rights, if any, the project would have to said lake.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Oconomowoc.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.